IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 33290 of 2004(K)

PETITIONER:

V.SOMASEKHARAN NAIR, CONTRACTOR,
'KARTHIKA', POTHENCODE, TRIVANDRUM.

BY ADV. SRI.GEORGE POONTHOTTAM
SMT.PREETHA G. PILLAI

RESPONDENTS:
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1. KERALA WATER AUTHORITY, REPRESENTED BY
THE MANAGING DIRECTOR, THIRUVANANTHAPURAM.

2. THE CHIEF ENGINEER, KERALA WATER
AUTHORITY, THIRUVANANTHAPURAM.

3. THE SUPERINTENDING ENGINEER,
KERALA WATER AUTHORITY, THIRUVANANTHAPURAM.

BY ADV.
SMT.AMBIKA DEVI, SC, KWA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF THE LETTER GIVEN TO THE SUPERINTENDING ENGINEER DT. 20.7.1998.

EXT.P2 : TRUE COPY OF THE REPRESENTATION GIVEN TO THE MANAGING DIRECTOR DT. 27.2.1999.

EXT.P3 : TRUE COPY OF THE REPRESENTATION GIVEN TO THE CHIEF ENGINEER DT. 18.10.2003.

RESPONDENTS' EXHIBITS :
EXT.R1 : TRUE COPY OF THE SELECTION NOTICE AWARDING WORK TO THE PETITIOENR DT. 16.10.1993.

EXT.R2 : TRUE COPY OF THE AGREEMENT EXECUTED BY THE PETITIONER WITH KERALA WATER AUTHORITY DT. 17.11.1993.

EXT.R3 : TRUE COPY OF COMMUNICATION DT. 30.3.1994 ADDRESSED TO THE PETITIONER BY THE ASST.EXECUTIVE ENGINEER.

EXT.R4 : TRUE COPY OF LETTER DT. 3.6.1994 ADDRESSED TO THE PETITIONER BY THE SUPERINTENDING ENGINEER.

EXT.R5 : TRUE COPY OF THE LETTER DT. 18.8.95 ADDRESSED TO THE PETITIONER BY THE ASST.EXECUTIVE ENGINEER.

EXT.R6 : TRUE COPY OF THE COMMUNICATION DT. 22.6.96 ADDRESSED TO THE EXECUTIVE ENGINEER BY THE SUPERITENDING ENGINEER.

EXT.R7 : TRUE COPY OF LETTER DT. 25.6.96 ADDRESSED TO THE EXECUTIVE ENGINEER BY THE PETITIONER.

EXT.R8 : TRUE COPY OF THE COVERING NOTE DT. 25.6.96.

EXT.R9: TRUE COPY OF ORDER DT. 25.2.1999 ISSUED BY THE SUPERINTENDING ENGINEER.

EXT.R10: TRUE COPY OF THE LETTER DT. 4.2.97 ADDRESSED TO THE PETITIONER BY THE EXECUTIVE ENGINEER.

EXT.R11: TRUE COPY OF LETTER DT. 24.6.96 ADDRESSED TO THE EXECUTIVE ENGINEER BY THE SUPERINTENDING ENGINEER.

EXT.R12: TRUE COPY OF LETTER DT. 24.8.96 ADDRESSED TO THE PETITIONER BY THE ASST.EXECUTIVE ENGINEER.

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EXT.R13 : TRUE COPY OF LETTER DT. 13.9.96 ADDRESSED TO THE EXECUTIVE ENGINEER.

EXT.R14 : TRUE COPY OF LETTER DT. 27.9.96 ADDRESSED TO THE PETITIONER BY THE EXECUTIVE ENGINEER.

EXT.R15: TRUE COPY OF LETTER DT. 28.10.96 ADDRESSED TO THE EXECUTIVE ENGINEER BY THE ASST.EXECUTIVE ENGINNER.

EXT.R16 : TRUE COPY OF LETTER DT. 19.11.96 ADDRESSED TO THE SUPERINTENDING ENGINEER BY THE EXECUTIVE ENGINEER.

EXT.R17: TRUE COPY OF LETTER DT. 23.11.96 ADDRESSED TO THE PETITIONER BY THE SUPERINTENDING ENGINEER.

EXT.R18: TRUE COPY OF LETTER DT. 9.12.96 ADDRESSED TO THE EXECUTIVE ENGINEER BY THE ASST. EXECUTIVE ENGINEER.

EXT.R19: TRUE COPY OF LETTER DT. 18.12.1996 ADDRESSED TO THE SUPERINTENDING ENGINEER BY THE EXECUTIVE ENGINEER.

EXT.R20:TRUE COPY OF LETTER DT. 13.1.97 ADDRESSED TO THE EXECUTIVE ENGINNER BY THE ASST.EXECUTIVE ENGINEER.

EXT.R21: TRUE COPY OF LETTER DT. 28.2.97 ADDRESSED TO THE PETITIONER BY THE SUPERINTENDING ENGINEER.

EXT.R22: TRUE COPY OF LETTER DT. 25.3.97 ADDRESSED TO THE EXECUTIVE ENGINEER BY THE ASST.EXECUTIVE ENGINEER.

EXT./R23: TRUE COPY OF LETTER DT. 15.4.97 ADDRESSED TO THE EXECUTIVE ENGINNER BY THE ASST.EXECUTIVE ENGINEER.

EXT.R24: TRUE COPY OF LETTER DT. 27.6.97 ADDRESSED TO THE PETITIOENR BY THE SUPERINTENDING ENGINEER.

EXT.R25: TRUE COPY OF IMPLEMENTATION SCHEDULE DT. 16.8.97.

EXT.R26: TRUE COPY OF LETTER DT. 27.12.1997 ADDRESSED TO THE EXECUTIVE ENGINEER BY THE ASST.EXECUTIVE ENGINEER.

EXT.R27: TRUE COPY OF LETTER DT. 12.5.98 ADDRESSED TO THE EXECUTIVE ENGINEER BY THE ASST.EXECUTIVE ENGINEER.

EXT.R28: TRUE COPY OF LETTER DT. 19.6.98 ADDRESSED TO THE PETITIONER BY THE EXECUTIVE ENGINEER.

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EXT.R29: TRUE COPY OF LETTER DT. 22.7.1998 ADDRESSED TO THE PETITIONER BY THE SUPERINTENDING ENGINEER.

EXT.R30: TRUE COPY OF LETTER DT. 13.9.98 ADDRESSED TO THE PETITIONER BY THE ASST.EXECUTIVE ENGINEER.

EXT.R31: TRUE COPY OF LETTER DT. 19.9.1998 ADDRESSED TO THE PETITIONER BY THE EXECUTIVE ENGINEER.

EXT.R32: TRUE COPY OF LETTER DT. 2.2.99 ADDRESSED TO THE SUPERINTENDING ENGINEER BY THE EXECUTIVE ENGINEER.

EXT.R33: TRUE COPY OF SELECTION NOTICE DT. 11.3.2002 ADDRESSED TO SRI.A.RAJAPPAN NAIR BY THE SUPERINTENDING ENGINEER.

TGS

KURIAN JOSEPH, J.

W.P.(C) No.33290 of 2004

Dated 16th March, 2007.

J U D G M E N T

The writ petition is filed praying for a direction to settle the accounts due to the petitioner for the works which have been executed by him. There is also a prayer for taking decision on Exts.P2 and P3. In case no action has been taken on Exts.P2 and P3, petitioner may produce a copy of this judgment before the concerned respondent, in which case, appropriate action in accordance with law in the matter will be taken expeditiously.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 16th March, 2007.